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NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF

ANNA MARIE GALLO

TO PRACTICE VETERINARY MEDICINE
IN THE STATE OF NEW JERSEY

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: Administrative Action
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: CONSENT ORDER
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This matter was opened to the State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") following the Board's review of a consumer complaint filed by Philip P. Palazzolo, on or about March 7, 2006, concerning the services rendered by the respondent Ann Marie Gallo, D.V.M. to his pet. Mr. Palazzolo alleged that the respondent had engaged in negligence,

professional misconduct and had misdiagnosed the condition of his Black Labrador/Collie dog, "Magic," during her treatment of the pet beginning in June 2001.

Specifically, Mr. Palazzolo initially presented "Magic," his Black Labrador and Collie mix pet, to Dr. Gallo in 2001 when the dog was less than a year old. Magic was suffering from certain skin conditions. Because of the severity of his skin condition, the respondent prescribed Medrol. Ultimately, Magic was diagnosed with significant allergies that caused his skin problems.

In June 2001, Dr. Gallo diagnosed Magic with allergic otitis and prescribed Medrol. In November 2001, Magic was again placed on this steroid drug and antibiotics when the owner reported to the respondent that the dog's skin was very inflamed and infected. The respondent advised the owner to place Magic back on Medrol in or about April 2002. Refills for the drug for Magic were provided by Dr. Gallo in May and June 2002. The dog was again back on the medication on or about July 3, 2002 when he was examined by the respondent. Dr. Gallo noted that his skin was very inflamed from scratching. At this time, Dr. Gallo discussed a hypoallergenic diet and allergy testing for the dog since Magic had been taking Medrol intermittently for approximately four (4) months. While the respondent explained to the owner that the testing was necessary in order to identify to what the dog was

allergic and thereby minimize the oral medication given to Magic, the owner declined her recommendation at the time. However, the medical records indicate that Dr. Gallo dispensed Medrol for the dog's allergies on this date. There is no indication in the patient records that the respondent performed any blood work on Magic to test for steroid toxicity.

Magic's medical records in this matter further indicate that the respondent prescribed the steroid Prednisone in October 2002 because the owner reported that the Medrol and Hydroxyzine were no longer working. Dr. Gallo authorized a refill of the Prednisone on November 4, 2003 and March 1, 2004 without examining Magic. The respondent again saw Magic on April 17, 2004 when the owner reported that every time the dog was weaned off the Prednisone, the itching would return. Again the owner declined allergy testing. The respondent ran blood work and found that the results were within normal limits except the dog's ALKP which was slightly elevated.

Dr. Gallo again authorized a refill of Prednisone prescription on or about July 29, 2004. She did not hear from the owner again for one year.

Dr. Gallo spoke to the owner next on March 3, 2005. He told her that the dog was on 10mg of Prednisone every twelve to twenty-four hours. The respondent advised the owner to wean Magic

off of Prednisone. She again examined Magic on April 30, 2005 and noted his skin allergies were flaring up again. The owner finally agreed to allergy testing for Magic. Dr. Gallo performed blood work on this day and noted that the results were normal, including his liver enzymes, except for the dog's ALKP which she concluded was elevated due to steroid therapy. While the respondent's medical records do not contain any reference to prednisone refills after July 2004, documentation was presented by the owner to indicate that he received refills of the steroids, via an internet pharmacy, in January, May, July and September 2005.

Having reviewed the entire record in this matter, including the patient records from the respondent and a subsequent veterinarian, the Board has concluded that sufficient evidence exists to substantiate a finding that Dr. Gallo engaged in repeated acts of negligence, contrary to N.J.S.A. 45:1-21(d), in that she authorized many prescriptions and refills of steroids without proper medical follow-up and/or testing during 2003, 2004 and 2005 and that this constitutes a basis for initiating disciplinary action against Dr. Gallo. Moreover, the Board finds that sufficient evidence exists to substantiate a finding that Dr. Gallo engaged in record keeping violations, contrary to N.J.S.A. 45:1-21(h), in that her medical records do not contain the necessary information required by N.J.A.C. 13:44-4.9.

It appearing that the respondent desires to resolve this matter without admissions, and any and all liability and wrongdoing being expressly denied, and without recourse to further proceedings; and the Board having been satisfied that the within resolution adequately protects the public health; safety and welfare; and for good cause shown:

ACCORDINGLY, IT IS ON THIS

9TH day of February

~~JANUARY~~ 2007, ORDERED that:

1. The respondent, Anna Marie Gallo, D.V.M., is hereby formally reprimanded for engaging in repeated acts of negligence, contrary to N.J.S.A. 45:1-21(d), in that she authorized many prescriptions and refills of steroids without proper medical follow-up and/or testing during 2003, 2004 and 2005.

3. Dr. Gallo is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22, in the aggregate amount of \$1,000.00 for engaging in repeated acts of negligence in prescribing and/or authorizing refills of steroids without providing the proper medical follow-up and diagnostic testing in violation of N.J.S.A. 45:1-21(d); and for record keeping violations contrary to N.J.S.A. 45:1-21(h). Payment for the civil penalty shall be submitted no later than ten (10) days from the entry of this Consent Order, by certified check or money order, made payable to the State Board of Veterinary Medical Examiners and shall be forwarded to Leslie Aronson, Executive

Director, Board of Veterinary Medical Examiners, 124 Halsey Street,
Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101.
Subsequent violations will subject respondent to enhanced penalties
to N.J.S.A. 45:1-25.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By: Mark W. Logan VMD
MARK W. LOGAN, V.M.D.
President

I have read and understand the within
Consent Order and agree to be bound
by its terms. Consent is hereby given
to the Board to enter this Order.

Anna Marie Gallo DVM
ANNA MARIE GALLO, D.V.M.

DATE: 1/23/07

Consent to as form and entry:

William A. Garrigle
WILLIAM A. GARRIGLE, ESQUIRE
Attorney for the Respondent

DATE: 1-25-07